IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 14318 of 2005

Between:

Vuyyuru Venkata Reddy, S/o. Late Punna Reddy, Occ: Business,
R/o. Jandhyala Vari Street, Tenali, Guntur District.

..... PETITIONER

AND

1 The Govt. of A.P. represented by its Secretary, Revenue Department, Secretariat, Hyderabad.
2 The Chief Controlling Revenue Authority-cum-Commissioner & Inspector, General of Registration & Stamps, NBK Estate, Musheerabad, Hyderabad.
3 The District Registrar of Assurances, Guntur District, Guntur.
4 The Sub-Registrar, Tenali (Main), Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction, particularly a writ of mandamus, directing the respondents herein to accept the sum of Rs.31,830/- towards the alleged deficit stamp duty in respect of document No. C-76/204, pending before the fourth respondent herein and release the same upon registration, subject to the result of Revision Case No. CCRA-1/20280/2004 pending disposal of the petitioner.

Counsel for the Petitioner: MR.J.PRABHAKAR

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and with their consent, the Writ Petition is disposed of at the admission stage.

2. Aggrieved by the proceedings of the 3rd respondent dated 14.9.2004, wherein the document No.P/76/2004, was treated as a sale for a cash consideration of Rs.1,00,000/- or on the market value of 0.16 paise share on the property shown under B schedule of the document No.P-76/2004, whichever is higher and also levy 0.16 paise share of the value of the machinery installed for levy of transfer duty, the petitioner herein preferred a Revision to the Chief Controlling Revenue Authority-cum-Commissioner and Inspector General of Registration and Stamps, Hyderabad, 2nd respondent in the Writ Petition.

3. Sri J.Prabhakar, learned counsel for the petitioner, submits that the Revision Petition is pending and has not yet been disposed of. He further states that the petitioner is ready to pay the stamp duty in accordance with the proceedings of the 3rd respondent dated 14.9.2004, and that pending disposal of the Revision Petition and subject to payment of the stamp duty, a direction may be issued to the 3rd respondent to release the document after registration.

4. There shall be a direction to the respondents 3 and 4 to register the document on payment of the prescribed stamp duty and registration charges and to release the said document, if there are no other objections, pending the Revision Petition before the 2nd respondent. Needless to state that payment of the amount as demanded by the 3rd respondent would be subject to the orders, which the 2nd respondent may pass in the Revision Petition filed by the petitioner.

5. The Writ Petition is disposed of accordingly. No costs.

18.7.2005

SSR

Issue copy in three days.

(BO)

To

1 The Secretary, Revenue Department, Government of A.P.
Secretariat, Hyderabad.
2 The Chief Controlling Revenue Authority-cum-Commissioner & Inspector,
General of Registration & Stamps, NBK Estate, Musheerabad, Hyderabad.
3 The District Registrar of Assurances, Guntur District, Guntur.
4 The Sub-Registrar, Tenali (Main), Guntur District.

5 2 CCs to G.P. for Revenue, High Court of A.P. Hyderabad. (OUT)

6 2 CD copies

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